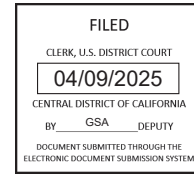


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**UNITED STATES DISTRICT COURT FOR  
THE CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION**

**TODD R. G. HILL, et al,**

**Plaintiffs**

**vs.**

**THE BOARD OF DIRECTORS,  
OFFICERS AND AGENTS AND  
INDIVIDUALS OF THE PEOPLES  
COLLEGE OF LAW, et al.,**

**Defendants.**

**CIVIL ACTION NO. 2:23-cv-01298-JLS-BFM**

**The Hon. Josephine L. Staton**  
Courtroom 8A, 8th Floor

**Magistrate Judge Brianna Fuller Mircheff**  
Courtroom 780, 7th Floor

**PLAINTIFF'S SUPPLEMENTAL MOTION  
IN SUPPORT OF DOCKET 261:  
PLAINTIFF'S MOTION TO COMPEL  
COMPLIANCE WITH L.R. 7-3 AND TO  
ADDRESS BAD FAITH PROCEDURAL  
MISCONDUCT**

**NO ORAL ARGUMENT REQUESTED**

**PLAINTIFF'S SUPPLEMENTAL MOTION IN SUPPORT OF DOCKET 261: MOTION TO COMPEL  
COMPLIANCE WITH L.R. 7-3 AND TO ADDRESS BAD FAITH PROCEDURAL MISCONDUCT**

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MOTION TO COMPEL COMPLIANCE WITH L.R. 7-3 AND TO ADDRESS BAD FAITH  
PROCEDURAL MISCONDUCT**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Plaintiff respectfully submits this supplemental motion to inform the Court of relevant and material communications received from counsel for Defendants Haight Brown & Bonesteel LLP and Robert Ira Spiro following the submission of Plaintiff’s original motion to compel (Document 261), which was filed on April 7, 2025 and docketed on April 9, 2025.

The attached Exhibits A and B contain email correspondence from April 7 and 8, 2025, that further substantiate the concerns raised in the original motion. These communications, received after the motion was submitted, demonstrate a continuation and escalation of the same bad faith procedural conduct previously described, as well as a possible pattern of coordination among defense counsel designed to subvert the meet and confer process required by Local Rule 7-3.

Moreover, the conduct documented herein strongly suggests that Defendants’ true intent is not to resolve the issues on the merits, but to frustrate Plaintiff’s efforts to reach a substantive adjudication. Their coordinated refusal to engage in a procedurally compliant meet and confer process—despite Plaintiff’s clear willingness and repeated efforts to do so—reflects a strategic preference for delay, misdirection, and procedural evasion over genuine resolution. This approach not only undermines the integrity of the pre-motion process but also confirms that Defendants do not seek to clarify or narrow disputed issues; rather, they seek to avoid scrutiny altogether. Such tactics

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1 are incompatible with the expectations of this Court and should not be rewarded with further  
2 deference.  
3

4  
5 **MEMORANDUM OF POINTS AND AUTHORITIES**

6  
7 **I. HIGHT COUNSEL’S APRIL 8 REFUSAL CONFIRMS L.R. 7-3 NONCOMPLIANCE**

8  
9 As shown in Exhibit A, Hight counsel initiated a meet-and-confer request on the morning of  
10 April 7, 2025—less than two hours before a scheduled procedural deadline—and without providing  
11 any legal grounds, factual basis, or relief sought. When Plaintiff responded with a request for this  
12 required information to enable a meaningful discussion, Hight refused in writing:  
13

14 **“We will not provide the detailed and lengthy information you requested.”** (Kirwin, April 8,  
15 2025, 12:49 PM PDT)  
16

17 This statement, sent after the motion was already filed, confirms the bad faith nature of Hight’s  
18 earlier request and undermines any argument that Hight intended to engage in meaningful  
19 procedural compliance. The refusal squarely violates the spirit and letter of L.R. 7-3, as interpreted by  
20 *Carmax Auto Superstores Cal. LLC v. Hernandez*, 94 F. Supp. 3d 1078, 1084 (C.D. Cal. 2015)  
21 because Defendants refusal to clarify their legal theories ensured Plaintiff was denied a meaningful  
22 opportunity to respond or consider potential stipulations, thereby undermining judicial economy and  
23 increasing unnecessary motion practice.  
24  
25  
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27  
28

**PLAINTIFF’S SUPPLEMENTAL MOTION IN SUPPORT OF DOCKET 261: MOTION TO COMPEL COMPLIANCE WITH L.R. 7-3 AND TO ADDRESS BAD FAITH PROCEDURAL MISCONDUCT**

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1  
2 **II. SPIRO'S APRIL 8 ESCALATION FURTHER VALIDATES THE**  
3 **ALLEGATIONS OF PROCEDURAL COERCION**

4 As shown in Exhibit B, Mr. Spiro sent a series of emails on April 8, 2025, explicitly threatening  
5 to pursue a malicious prosecution lawsuit against Plaintiff. These threats were made:  
6

- 7 a. As part of a supposed L.R. 7-3 effort;  
8 b. After being cautioned that such threats were procedurally improper;  
9 c. For the purpose of inducing dismissal unrelated to any legitimate motion grounds.  
10

11 Spiro's escalation, particularly his refusal to refrain from threats and his assertion that "[i]t is  
12 important to remind you of the risk you're taking", is consistent with a pattern of procedural  
13 intimidation already documented in Plaintiff's earlier filings. These communications were sent after  
14 Document 261 was submitted, yet they appear to be an extension of the very conduct described  
15 therein.  
16  
17

18  
19 **III. TIMELINE SUGGESTS COORDINATED STRATEGY**  
20

21 **Exhibit C**, a timeline summarizing communications from April 7 and 8, highlights the close  
22 sequencing and thematic overlap between Haight's and Spiro's conduct. Both:  
23

- 24 a. Initiated procedural discussions with minimal or no specificity;  
25 b. Failed or refused to provide required legal information;  
26 c. Shifted to adversarial posturing when requested to comply;  
27

28 **PLAINTIFF'S SUPPLEMENTAL MOTION IN SUPPORT OF DOCKET 261: MOTION TO COMPEL  
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1 d. Acted within a 24-hour period in which neither sought meaningful clarification or  
2 reengagement as of the time of this writing, 4:00 PM PDT, April 9, 2025.  
3

4 Whether or not this coordination was explicit, the overlapping strategies including refusing  
5 specificity, pressuring Plaintiff, and threatening procedural consequences suggest a **shared tactical**  
6 **posture** designed to frustrate meaningful meet and confer compliance while preserving the  
7 appearance of engagement.  
8

9  
10 **IV. LEGAL BASIS & JUSTIFICATION**

11 The Court possesses both the authority and discretion to take judicial notice of documents and  
12 communications that are central to assessing procedural compliance, especially where such  
13 compliance is mandated by the Local Rules. Under Federal Rule of Evidence 201, courts may take  
14 judicial notice of adjudicative facts that are “not subject to reasonable dispute” and are either  
15 “generally known” or “can be accurately and readily determined from sources whose accuracy cannot  
16 reasonably be questioned.”  
17

18 Moreover, courts have inherent authority to manage their own proceedings and enforce  
19 compliance with procedural rules, including Local Rule 7-3, to ensure judicial efficiency and the fair  
20 administration of justice. See *Landis v. North American Co.*, 299 U.S. 248, 254 (1936) (recognizing  
21 the court’s inherent power to control the disposition of the causes on its docket). Where a party’s  
22 conduct demonstrates a pattern of evasion and procedural non-compliance—as documented in  
23 Docket 197 and partially judicially noticed in Docket 248—the Court is well within its authority to  
24 adjudicate the sufficiency of the record and impose appropriate remedies to deter continued abuse.  
25  
26 Judicial notice of the email exchanges and related documents is therefore warranted to ensure a  
27

28 **PLAINTIFF’S SUPPLEMENTAL MOTION IN SUPPORT OF DOCKET 261: MOTION TO COMPEL  
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1 complete and accurate record, prevent further evasion of L.R. 7-3, and uphold the integrity of the  
2 judicial process.  
3

4  
5 **A. MR. SPIRO’S CONDUCT VIOLATES L.R. 7-3 AND DEMONSTRATES BAD FAITH**  
6

7 Local Rule 7-3 requires parties to meaningfully engage before filing a motion, specifying that  
8 parties must discuss “the substance of the contemplated motion and any potential resolution.” (C.D.  
9 Cal. L.R. 7-3) Mr. Spiro’s repeated refusal to comply with this rule, despite his initiation of contact  
10 and Plaintiff’s reasonable efforts to facilitate a meaningful meet and confer, constitutes a clear  
11 violation.  
12

13 In *Carmax Auto Superstores Cal. LLC v. Hernandez*, 94 F. Supp. 3d 1078 (C.D. Cal. 2015), the  
14 court emphasized that compliance with Local Rule 7-3 is mandatory, requiring meaningful  
15 engagement prior to filing motions. Failure to comply can result in the court refusing to consider the  
16 motion altogether. Similarly, *Niedermeier v. Office of Max S. Baucus*, 153 F. Supp. 2d 23 (D.D.C.  
17 2001), establishes that superficial or perfunctory attempts at compliance with meet-and-confer  
18 requirements do not satisfy the rule’s purpose of fostering genuine efforts to narrow or resolve issues.  
19  
20  
21

22 Courts have consistently held that perfunctory gestures do not satisfy the requirements of L.R. 7-  
23 3. Simply scheduling a phone call without providing the legal and factual basis for anticipated  
24 motions is insufficient. See Docket 197, partially judicially noticed at Docket 248, where the Court  
25 previously noted the dates and existence of records that strongly support the inference of similar non-  
26 compliant conduct by Defendants.  
27

28 **PLAINTIFF’S SUPPLEMENTAL MOTION IN SUPPORT OF DOCKET 261: MOTION TO COMPEL  
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1 Here, Defendant Spiro has repeatedly refused to provide the specific legal grounds, factual basis,  
2 or relief sought for his anticipated motions, as required by L.R. 7-3. Instead, Spiro has attempted to  
3 manufacture the appearance of compliance by scheduling a phone call without the necessary  
4 disclosures. This conduct directly undermines the purpose of the rule and frustrates the Court's  
5 interest in procedural efficiency.  
6

7  
8 **B. HAIGHT BROWN & BONESTEEL LLP'S INADEQUATE COMPLIANCE**

9 Haight Brown & Bonesteel LLP's initiated a separate request for a meet and confer on April 7,  
10 2025 and similarly failed to specify the necessary legal grounds, factual basis, and relief sought. This  
11 lack of specificity and clarity mirrors the same pattern of non-compliance exhibited by Mr. Spiro.  
12 Without clear articulation of the issues to be discussed, Plaintiff cannot adequately prepare,  
13 undermining the purpose of L.R. 7-3.  
14  
15

16 **C. JUDICIAL NOTICE AND THE COURT'S INHERENT AUTHORITY**

17 The Court has the inherent authority to enforce its procedural rules and ensure compliance where  
18 parties have engaged in bad faith or obstructive conduct. See *Landis v. North American Co.*, 299 U.S.  
19 248, 254 (1936) ("The power to stay proceedings is incidental to the power inherent in every court to  
20 control the disposition of the causes on its docket with economy of time and effort for itself, for  
21 counsel, and for litigants.").  
22  
23  
24

25 Additionally, the Court may take judicial notice of documents central to evaluating compliance  
26 with procedural rules, particularly where authenticity is not in dispute. See *Lee v. City of Los Angeles*,  
27

28 **PLAINTIFF'S SUPPLEMENTAL MOTION IN SUPPORT OF DOCKET 261: MOTION TO COMPEL COMPLIANCE WITH L.R. 7-3 AND TO ADDRESS BAD FAITH PROCEDURAL MISCONDUCT**



1 250 F.3d 668, 689 (9th Cir. 2001). This includes email exchanges that establish whether the parties  
2 have adhered to L.R. 7-3's requirements. See also *In re Oracle Corp. Sec. Litig.*, 627 F.3d 376, 386  
3 n.1 (9th Cir. 2010) (permitting judicial notice of documents not subject to reasonable dispute).

4  
5 **D. PATTERN OF BAD FAITH AND PROCEDURAL NON-COMPLIANCE**

6  
7 The record established in Docket 197 and partially judicially noticed at Docket 248, and now  
8 further supplemented by Docket 261 and this filing reveals a persistent pattern of procedural evasion  
9 by the Defendants. Here, Spiro's current approach mirrors previous conduct designed to circumvent  
10 proper meet and confer processes. Courts have recognized that repeated non-compliance with  
11 procedural requirements constitutes bad faith. See *Burch v. Regents of Univ. of California*, 433 F.  
12 Supp. 2d 1110, 1125 (E.D. Cal. 2006) (noting that courts are not required to accept sham compliance  
13 with procedural requirements).

14 Both Defendant Spiro's and Haight counsel's conduct actively undermines the judicial process by  
15 preventing meaningful engagement and obstructing attempts to narrow issues before motion practice.  
16 The use of L.R. 7-3 as a mere procedural formality, rather than a tool for genuine engagement,  
17 demonstrates a deliberate attempt to frustrate Plaintiff's ability to adequately prepare and respond.

18 Furthermore, Haight's initial letter requesting a meet and confer and subsequent declining to  
19 provide any preparatory information prior to a call, given the experience of the litigators and the  
20 previous documentation of both approach and Plaintiff's request for substantive engagement strongly  
21 infers similar and coordinated tactics. (See Docket 197, Docket 261 and the Exhibits here attached).

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28 **PLAINTIFF'S SUPPLEMENTAL MOTION IN SUPPORT OF DOCKET 261: MOTION TO COMPEL  
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**E. THE COURT SHOULD TAKE JUDICIAL NOTICE OF THE DOCUMENTED  
PATTERN OF NON-COMPLIANCE**

Plaintiff requests that the Court take judicial notice of the email exchanges as evidence of Defendants' failure to comply with L.R. 7-3. The record demonstrates a deliberate pattern of procedural evasion, contrary to the principles of judicial efficiency and good faith litigation.

In *Carmax Auto Superstores Cal. LLC v. Hernandez*, 94 F. Supp. 3d 1078 (C.D. Cal. 2015), the court emphasized that compliance with Local Rule 7-3 is mandatory and requires genuine, substantive engagement prior to filing motions. Failure to comply can result in the court refusing to consider the motion altogether. This is directly applicable to Mr. Spiro's repeated attempts to bypass the requirement for meaningful engagement by demanding a phone call without first providing the requisite legal grounds, factual basis, or relief sought. Mr. Spiro's superficial efforts to meet and confer, exemplified by his refusal to comply with L.R. 7-3 while insisting on proceeding with an unscheduled call, fall squarely within the type of conduct that the court condemned in Carmax.

Similarly, *Niedermeier v. Office of Max S. Baucus*, 153 F. Supp. 2d 23 (D.D.C. 2001), establishes that superficial or perfunctory attempts at compliance with meet-and-confer requirements do not satisfy the rule's purpose of fostering genuine efforts to narrow or resolve issues. Mr. Spiro's repeated refusals to provide specific legal grounds, factual basis, or relief sought mirror the type of bad faith engagement described in Niedermeier. His approach amounts to little more than a manufactured appearance of compliance designed to justify the filing of an anticipated motion without genuine engagement.

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Moreover, the email chain from Haight’s counsel on April 7 and 8, 2025, further underscores this pattern of procedural evasion. Without specifying the intended legal grounds, factual basis, or relief sought, Mr. Kirwin’s vague request to “meet and confer” falls short of the requirements under L.R. 7-3 and indicates a coordinated effort to avoid genuine engagement. Haight’s noticed intent and failure to clarify or provide substantive information, especially in light of Mr. Spiro’s parallel conduct, suggests an intentional strategy aimed at frustrating the meet-and-confer process rather than facilitating it.

As documented in Docket 197, Docket 261, and here, the Defendants have engaged in a series of superficial and procedurally deficient meet-and-confer efforts. These include threats, unscheduled calls, cursory emails, vague requests lacking or refusing to participate in substantive engagement. This ongoing pattern violates L.R. 7-3, undermines judicial efficiency, and reflects bad faith in the pre-motion process.

The Court’s recognition of these deficiencies in Docket 248 underscores the validity of Plaintiff’s claims and highlights Defendants’ continued disregard for procedural requirements. Judicial notice of these communications is necessary to preserve a complete and accurate record of Defendants’ non-compliance.

#### **F. RELIEF REQUESTED AND SANCTIONS WARRANTED**

Plaintiff respectfully requests that the Court take judicial notice of the email exchanges attached as Exhibit A and Exhibit B, as evidence of Defendants’ ongoing failure to comply with L.R. 7-3. The

#### **PLAINTIFF’S SUPPLEMENTAL MOTION IN SUPPORT OF DOCKET 261: MOTION TO COMPEL COMPLIANCE WITH L.R. 7-3 AND TO ADDRESS BAD FAITH PROCEDURAL MISCONDUCT**

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1 deliberate pattern of coercion and procedural evasion demonstrated by Mr. Spiro's correspondence  
2 reflects the same deficiencies previously documented in Docket 197 and further supports the need for  
3 Court intervention. The filing of this motion is necessary to preserve the record, as Mr. Spiro's  
4 repeated refusal to comply with L.R. 7-3 has undermined the purpose of the meet and confer process  
5 and precluded any possibility of substantive engagement. Plaintiff has made reasonable efforts to  
6 facilitate compliance and mitigate unnecessary motion practice; however, Mr. Spiro's conduct  
7 renders further attempts to resolve these issues without Court involvement futile.  
8  
9

10  
11 Pursuant to the Court's inherent authority and under Rule 11, sanctions are appropriate where a  
12 party's conduct demonstrates willful disobedience of procedural rules or deliberate bad faith. Here,  
13 Mr. Spiro's continued insistence on proceeding without providing the required information, coupled  
14 with Haight's deficient approach, demonstrates a clear pattern of bad faith warranting appropriate  
15 sanctions.  
16

17  
18 For the foregoing reasons, Plaintiff respectfully requests that the Court take notice of the attached  
19 exhibits and:  
20

- 21 1. Grant Plaintiff's Motion to Compel (Dkt. 261) and enter a finding that both Haight and Spiro  
22 failed to comply with the procedural requirements of L.R. 7-3;
- 23 2. Deny or strike any motion to dismiss or strike the Fourth Amended Complaint filed without  
24 full compliance with L.R. 7-3;
- 25
- 26
- 27

28 **PLAINTIFF'S SUPPLEMENTAL MOTION IN SUPPORT OF DOCKET 261: MOTION TO COMPEL  
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- 1 3. Award any further relief deemed appropriate, including consideration of sanctions under L.R.  
2  
3 83-7 or Rule 11(c), should the conduct continue or escalate.

4 Dated: April 9, 2025

5 Respectfully submitted,  
6

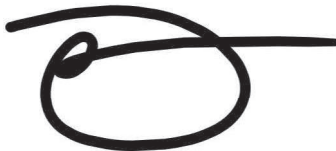
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10

11 Todd R. G. Hill  
12 Plaintiff, Pro Se

13  
14 **STATEMENT OF COMPLIANCE WITH LOCAL RULE 11-6.1**

15 The undersigned party certifies that this brief contains 2,280 words, which complies with the 7,000-  
16 word limit of L.R. 11-6.1.

17 Respectfully submitted,  
18

19   
20  
21

22 April 9, 2025

23 Todd R.G. Hill

24 Plaintiff, in Propria Persona  
25

26 **PLAINTIFF'S PROOF OF SERVICE**

27  
28 **PLAINTIFF'S SUPPLEMENTAL MOTION IN SUPPORT OF DOCKET 261: MOTION TO COMPEL  
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1 This section confirms that all necessary documents will be properly served pursuant to L.R. 5-  
2 3.2.1 Service. This document will be/has been electronically filed. The electronic filing of a  
3 document causes a “Notice of Electronic Filing” (“NEF”) to be automatically generated by the  
4 CM/ECF System and sent by e-mail to: (1) all attorneys who have appeared in the case in this Court  
5 and (2) all pro se parties who have been granted leave to file documents electronically in the case  
6 pursuant to L.R. 5-4.1.1 or who have appeared in the case and are registered to receive service  
7 through the CM/ECF System pursuant to L.R. 5-3.2.2. Unless service is governed by Fed. R. Civ. P.  
8 4 or L.R. 79-5.3, service with this electronic NEF will constitute service pursuant to the Federal  
9 Rules of Civil Procedure, and the NEF itself will constitute proof of service for individuals so served.

10 Respectfully submitted,  
11

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April 9, 2025

Todd R.G. Hill

Plaintiff, in Propria Persona

**PLAINTIFF’S SUPPLEMENTAL MOTION IN SUPPORT OF DOCKET 261: MOTION TO COMPEL  
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**SUPPLEMENTAL DECLARATION OF TODD R.G. HILL**  
**IN SUPPORT OF PLAINTIFF'S MOTION TO COMPEL COMPLIANCE WITH L.R. 7-3**  
**AND TO ADDRESS BAD FAITH PROCEDURAL MISCONDUCT**  
**(DOCKET 261)**

I, Todd R.G. Hill, declare as follows:

1. I am the Plaintiff in the above-captioned matter. I submit this supplemental declaration in support of Document 261, my **MOTION TO COMPEL COMPLIANCE WITH LOCAL RULE 7-3 AND TO ADDRESS BAD FAITH PROCEDURAL MISCONDUCT**, which was submitted on April 7, 2025, and docketed on April 9, 2025.
2. At the time the original motion was filed, I had not yet received subsequent correspondence from Defendants Robert Ira Spiro and Haight Brown & Bonesteel LLP (Jeffrey Kirwin and Arezoo Jamshidi) confirming the patterns of bad faith procedural conduct described in that filing.
3. On April 8, 2025, **after the motion was submitted**, I received multiple emails from Mr. Spiro and from Haight counsel that further demonstrate a lack of good faith engagement under Local Rule 7-3. These emails were not included in Document 261 but are summarized here for judicial notice and procedural completeness.
4. In the case of Mr. Spiro, between 3:31 PM and 6:06 PM on April 8, 2025, he sent a series of messages reiterating threats of a malicious prosecution lawsuit as a condition of settlement. Despite being cautioned that such threats were procedurally improper and premature, Mr. Spiro escalated, stating explicitly:

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1 **“I certainly will not refrain from further threats of malicious prosecution. It is important to**  
2 **remind you of the risk you're taking in pursuing your case.”**  
3

4 5. These threats were not raised in the context of clarifying legal issues for motion practice, but  
5 rather to pressure me into abandonment of claims—exactly the type of coercive conduct that  
6 my April 7 motion described as bad faith procedural behavior.  
7

8 6. In the case of Haight Brown & Bonesteel, their April 8, 2025 response, sent at 12:49 PM,  
9 explicitly refused to provide the legal and factual basis for the contemplated motion to strike  
10 the Fourth Amended Complaint. The statement reads:  
11

12 **“We will not provide the detailed and lengthy information you requested.”**  
13

14 7. This refusal came after a 24-hour silence following their April 7 outreach and directly  
15 contradicted the Local Rule 7-3 requirement that parties make good faith efforts to narrow  
16 issues and clarify the legal basis of motions before filing. The tone and content of their  
17 response confirmed that their initial contact was not made in good faith.  
18

19 8. These post-filing emails confirm the substance and predictive accuracy of my original motion.  
20 They reflect:  
21

22 i. A coordinated refusal by defense counsel to comply with procedural meet-and-confer  
23 obligations;  
24

25 ii. Continued efforts to leverage litigation threats unrelated to the issues at hand; and  
26  
27  
28

**PLAINTIFF’S SUPPLEMENTAL MOTION IN SUPPORT OF DOCKET 261: MOTION TO COMPEL  
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1           iii.    An intent to appear procedurally compliant while frustrating the purpose of Local Rule  
2                   7-3.  
3

4           9. I submit as Exhibit A and B the full April 7 and 8, 2025 email chains for the Court to review  
5           the conduct in its entirety.  
6

7           I declare under penalty of perjury under the laws of the United States that the foregoing is true  
8           and correct.  
9

10          Executed on April 9, 2025, in Belton, Texas.

11          Respectfully submitted,  
12

13            
14

15          Todd R.G. Hill  
16          Plaintiff, Pro Se  
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COMPLIANCE WITH L.R. 7-3 AND TO ADDRESS BAD FAITH PROCEDURAL MISCONDUCT**

CASE 2:23-cv-01298-JLS-BFM

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**EXHIBIT A**

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**PLAINTIFF'S SUPPLEMENTAL MOTION IN SUPPORT OF DOCKET 261: MOTION TO COMPEL  
COMPLIANCE WITH L.R. 7-3 AND TO ADDRESS BAD FAITH PROCEDURAL MISCONDUCT**

CASE 2:23-cv-01298-JLS-BFM

**Todd Hill**

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**From:** Kirwin, Jeffrey <jkirwin@hbblaw.com>  
**Sent:** Tuesday, April 8, 2025 12:49 PM  
**To:** Todd Hill  
**Cc:** Jamshidi, Arezoo  
**Subject:** RE: Todd Hill v. Peoples College of Law

Mr. Hill,

We will not provide the detailed and lengthy information you requested. We are prepared to fully discuss the bases for our motion to strike your Fourth Amended Complaint. If you fail to engage in a meet and confer, we will advise the Court in our motion.

Thanks,  
Jeff

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**From:** Todd Hill <toddryangregoryhill@gmail.com>  
**Sent:** Tuesday, April 8, 2025 12:46 PM  
**To:** Kirwin, Jeffrey <jkirwin@hbblaw.com>  
**Cc:** Jamshidi, Arezoo <ajamshidi@hbblaw.com>  
**Subject:** Re: Todd Hill v. Peoples College of Law

Dear Mr. Kirwin and Ms. Jamshidi,

I write to follow up on your April 7, 2025 email referencing Local Rule 7-3. As of this writing, more than 24 hours later, I have received no substantive response to the specific, detailed requests I outlined to facilitate a meaningful and procedurally compliant meet and confer.

As previously explained, compliance with L.R. 7-3 requires more than a generalized request for a call. It necessitates meaningful engagement, including the identification of specific legal grounds, factual basis, and relief sought. Without this information, there is no possibility of a productive or efficient meeting, and any such discussion would serve only to create the appearance of superficial compliance.

In the absence of a substantive response, I must conclude that Haight, like Mr. Spiro, is not prepared to engage in a good faith meet and confer process under the procedural framework required by the Court.

The originally proposed meeting time is no longer viable because, given the absence of the requested information, it would be premature to schedule a meet and confer. A productive meeting—if one is still warranted—would require clarity regarding the legal grounds, factual basis, and relief sought. Once that information is provided, I would be happy to consider availability and format. Otherwise, I will consider the current L.R. 7-3 effort incomplete and will respond accordingly to any motion filed absent compliance.

Respectfully,

Todd

On Mon, Apr 7, 2025 at 10:52 AM Todd Hill <[toddryangregoryhill@gmail.com](mailto:toddryangregoryhill@gmail.com)> wrote:

Dear Mr. Kirwin and Ms. Jamshidi,

Your email is noted. The purpose of a proper meet and confer under L.R. 7-3 is to clarify the specific legal grounds, factual basis, and exact relief sought, so that issues may be meaningfully narrowed or resolved before motion practice.

Your request arrives on the morning of April 7, 2025, shortly before the 12:00 PM PDT contingency deadline provided to Mr. Spiro to allow adequate preparation for a meaningful meet and confer process. It is unclear from your email whether Haight intends to engage in a separate and distinct meet and confer process or if this effort is part of a coordinated response with Mr. Spiro.

If the intent is to engage in good faith, then providing the requisite information in advance is essential to allow a meaningful and efficient meet and confer. Accordingly, please provide the following by 12:00 PM PDT on April 8, 2025, to allow for meaningful preparation:

#### Detailed Legal Grounds

Please clearly articulate the specific legal grounds underlying each contemplated motion, including identification of relevant statutes, procedural rules, or controlling case law upon which you intend to rely. Unsupported and conclusory statements are not substitutes for detailed legal arguments.

#### Factual Basis

Summarize the factual basis for each motion, specifically identifying the allegations within the Fourth Amended Complaint (FAC) you assert are deficient or otherwise problematic. Indicate any documents or evidence you intend to rely upon to support your positions.

#### Specific Relief Sought

Clearly state the precise relief or remedy sought through each motion, specifying whether your intent is the dismissal of particular claims, causes of action, or the FAC in its entirety. Clarify whether your intended motions include requests to strike portions of the FAC or seek dismissal without leave to amend.

#### Proposed Stipulations (If Applicable)

Indicate any stipulations or agreements you propose, which might narrow or resolve disputes without court intervention. Failure to offer reasonable stipulations will be noted as evidence of bad faith.

If Haight's intent is to engage in a procedurally compliant and meaningful meet and confer process, then the provision of the above-requested information is non-negotiable. As you have initiated this request and asserted your preparedness, should you fail to provide the requested materials by 12:00 PM PDT on April 8, 2025, I will proceed accordingly, including documenting your failure to comply with L.R. 7-3 and raising the matter before the Court as necessary.

Additionally, if Haight's request is intended to coordinate with Mr. Spiro's previous request, such an effort may be documented and raised before the Court as evidence of ongoing bad faith.

Notably, Mr. Spiro's repeated refusal to provide the necessary information required under L.R. 7-3, despite numerous requests, remains unresolved. If Haight's request is intended to coordinate with Mr. Spiro's

procedurally deficient approach, such an effort will be documented and raised before the Court as further evidence of ongoing bad faith.

My willingness to engage in a good faith meet and confer remains contingent upon your provision of the requested information. I am available to confer at 11:00 AM PDT on April 9, 2025, or another mutually convenient time thereafter, provided that the requested information is received by the stated deadline.

Respectfully,

Todd

On Mon, Apr 7, 2025 at 10:33 AM Kirwin, Jeffrey <[jkirwin@hbblaw.com](mailto:jkirwin@hbblaw.com)> wrote:

Mr. Hill,

Pursuant to Local Rule 7-3, we would like to meet and confer with you regarding your Fourth Amended Complaint. Please advise when you are able to speak today or tomorrow.

Thank you,

Jeff

Jeffrey Kirwin | [Profile](#)

Attorney

D: (714) 426-4620

[jkirwin@hbblaw.com](mailto:jkirwin@hbblaw.com)

**Haight**

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**EXHIBIT B**

**PLAINTIFF'S SUPPLEMENTAL MOTION IN SUPPORT OF DOCKET 261: MOTION TO COMPEL  
COMPLIANCE WITH L.R. 7-3 AND TO ADDRESS BAD FAITH PROCEDURAL MISCONDUCT**

CASE 2:23-cv-01298-JLS-BFM

**Todd Hill**

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**From:** Ira Spiro <ira@spirolawcorp.com>  
**Sent:** Tuesday, April 8, 2025 6:06 PM  
**To:** Todd Hill  
**Subject:** RE: local rule 7-3 request for telephone discussion

Of course, you did not send me a single citation to what you say “courts have consistently held”  
And as far as what LR 7-3 requires or forbids, you don’t know what you’re talking about.

*Ira Spiro*

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**From:** Todd Hill <toddryangregoryhill@gmail.com>  
**Sent:** Tuesday, April 8, 2025 5:21 PM  
**To:** Ira Spiro <ira@spirolawcorp.com>  
**Subject:** Re: local rule 7-3 request for telephone discussion

Dear Mr. Spiro,

Your message is noted.

As previously stated, the use of premature legal threats as a condition for withdrawing or dismissing a claim is not consistent with the principles of good faith engagement under Local Rule 7-3. Whether framed as a future claim or as a term of settlement, repeatedly raising the specter of collateral litigation, especially when the claim is unripe and based on pending litigation, is not a proper basis for narrowing issues or resolving a Rule 12 dispute. In this instance, it plainly constitutes a bad faith litigation tactic.

The intent and tone of your recent communications speak for themselves. I will not engage further on this point via email. The record is preserved and will be addressed through proper channels if necessary.

Respectfully,

Todd

On Tue, Apr 8, 2025 at 5:09 PM Ira Spiro <[ira@spirolawcorp.com](mailto:ira@spirolawcorp.com)> wrote:

What courts have held, as you claim, that “attempts to pressure a party into abandoning claims through premature legal threats are improper.” You have a habit of making up laws and cases. Please send me the citations to the supposed cases you’re referring to. Even one. I would be very surprised if you do send me any.

You talk about ripeness. Of course the claim for malicious prosecution is not ripe – it won’t be until there is a favorable termination of your case. But releasing unripe claims, especially malicious prosecution, is an entirely appropriate proposal for settlement.

And why in the world would you talk about cross-claims? Naturally a malicious prosecution claims wouldn't be a cross-claim in a case, since the case has to end before the malicious cause of action can be brought.

I certainly will not refrain from further threats of malicious prosecution. It is important to remind you of the risk you're taking in pursuing your case. Pointing out risks of pursuing litigation is also entirely proper in negotiations.

Your case meets all the requirements of a malicious prosecution except, so far, the requirement of favorable termination.

*Ira Spiro*

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**From:** Todd Hill <[toddryangregoryhill@gmail.com](mailto:toddryangregoryhill@gmail.com)>  
**Sent:** Tuesday, April 8, 2025 4:56 PM  
**To:** Ira Spiro <[ira@spirolawcorp.com](mailto:ira@spirolawcorp.com)>  
**Subject:** Re: local rule 7-3 request for telephone discussion

Dear Mr. Spiro,

Your message is noted.

As previously stated, threats of unrelated or collateral litigation are not an appropriate basis for resolving issues under L.R. 7-3. Courts have consistently held that attempts to pressure a party into abandoning claims through premature legal threats are improper and may constitute bad faith or misuse of the judicial process.

While you now attempt to reframe your reference of malicious prosecution in the context of settlement waivers, that doctrine is not applicable here. The claim is not ripe, has not been initiated, and is being invoked solely as a mechanism of leverage—not as part of any bona fide effort to resolve or narrow the issues in this case. This further reinforces the documented pattern of procedural coercion previously noted.

Any cross-claim or future litigation initiated on such grounds would necessarily invite scrutiny of the same underlying facts, communications, and conduct already preserved in the record. Such a filing would also permit the assertion of multiple defenses and potentially trigger counterclaims, including but not limited to litigation privilege, unclean hands, and abuse of process.

I respectfully request that you refrain from further threats or attempts to reframe this dialogue outside the scope of good faith procedural engagement. The record is preserved, and I remain prepared to respond through proper channels should it become necessary.

Respectfully,



Todd

On Tue, Apr 8, 2025 at 4:30 PM Ira Spiro <[ira@spirolawcorp.com](mailto:ira@spirolawcorp.com)> wrote:

Why do you say a malicious prosecution case by me is unrelated to your case? It would be a direct result of your case. A precondition of my malicious prosecution case is a termination of your case that is favorable to me. That could occur soon. It could occur if my motion to dismiss is granted or my motion to strike as to your entire Fourth Amended Complaint is granted. But dismissal pursuant to settlement is not a favorable termination under malicious prosecution law. Thus, if you were to accept my offer, I would not be entitled to sue you for malicious prosecution. Waiver of malicious prosecution is quite proper as a term in a settlement agreement.

*Ira Spiro*

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**From:** Todd Hill <[toddryangregoryhill@gmail.com](mailto:toddryangregoryhill@gmail.com)>  
**Sent:** Tuesday, April 8, 2025 3:31 PM  
**To:** Ira Spiro <[ira@spirolawcorp.com](mailto:ira@spirolawcorp.com)>  
**Subject:** Re: local rule 7-3 request for telephone discussion

Dear Mr. Spiro,

Your message is noted.

Notably, you now threaten to pursue unrelated litigation as a condition for dismissing this case. Not only does this not reflect a good faith effort to resolve or narrow issues under L.R. 7-3, it exemplifies bad faith and further reinforces the pattern of procedural coercion already documented in the record.

Respectfully,

Todd

On Tue, Apr 8, 2025 at 3:23 PM Ira Spiro <[ira@spirolawcorp.com](mailto:ira@spirolawcorp.com)> wrote:

I didn't state my offer correctly. My offer is this: I will release you from claims for malicious prosecution and refrain from filing my motions to strike and dismiss if you request the court to dismiss your lawsuit with prejudice, and the court does dismiss it with prejudice I think you'd be wise to accept this offer.

*Ira Spiro*

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**EXHIBIT C**

**PLAINTIFF'S SUPPLEMENTAL MOTION IN SUPPORT OF DOCKET 261: MOTION TO COMPEL  
COMPLIANCE WITH L.R. 7-3 AND TO ADDRESS BAD FAITH PROCEDURAL MISCONDUCT**

CASE 2:23-cv-01298-JLS-BFM

**EXHIBIT C****Procedural Timeline: April 7–8, 2025**

<b>Date &amp; Time</b>	<b>Actor</b>	<b>Event</b>
<b>April 7, 2025</b> 10:33 AM PDT	Jeffrey Kirwin (Haight)	Sends a brief email requesting a meet and confer under L.R. 7-3 regarding the Fourth Amended Complaint. No legal grounds, factual basis, or relief sought are provided.
<b>April 7, 2025</b> 10:52 AM PDT	Todd Hill	Responds to Haight's request, stating availability contingent on timely receipt of the required L.R. 7-3 details by 12:00 PM PDT on April 8.
<b>April 7, 2025</b> Submitted before 12:00 PM PDT	Todd Hill	Submits Plaintiff's Motion to Compel Compliance with L.R. 7-3 and to Address Bad Faith Procedural Misconduct (Dkt. 261).
<b>April 8, 2025</b> 12:45 PM PDT	Todd Hill	Follows up with Haight, noting no response to the required L.R. 7-3 disclosures and explaining that a call would be premature without such information.
<b>April 8, 2025</b> 12:49 PM PDT	Jeffrey Kirwin (Haight)	Responds by stating: "We will not provide the detailed and lengthy information you requested."
<b>April 8, 2025</b> 3:31 PM PDT – 6:06 PM PDT	Ira Spiro	Sends a series of emails asserting that he intends to pursue malicious prosecution and stating he will not refrain from such threats. These messages follow prior procedural warnings from Plaintiff.